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SUBJECT: BOSNIA: FY09 INL-MANAGED SEED-FUNDED LAW
ENFORCEMENT AND CRIMINAL JUSTICE PROJECT PROPOSAL (PART I
OF II)

REF: STATE 53341

1. (U) The U.S. Government's core strategic objective in Bosnia-Herzegovina (BiH) is to lock the country into a self-sustaining path towards Euro-Atlantic integration. A BiH inside NATO and the EU is the best guarantee that the country's future will be stable, democratic and prosperous. Strong law enforcement and justice sector institutions, especially at the state level, are crucial for BiH to meet its obligations for NATO and EU accession, to address the ongoing challenges of combating organized crime and achieving justice for war crimes, and to underpin economic development and national reconciliation. In the face of increased political attacks on these state-level institutions by political forces intent on weakening the state, U.S. assistance is critical to transforming Bosnian state-level law enforcement and judicial institutions into institutions capable of performing their mission. Furthermore, weak interagency communication, competing security structures, and political interference in law enforcement make Bosnia vulnerable to exploitation as a terrorist safe haven or a potential staging ground for terrorist operations in Europe. The continued presence of foreign Mujahedeen fighters, who came to Bosnia during the 1992-1995 war, and their Bosniak associates who espouse extremist ideas, also presents a potential security threat. Addressing the challenges of ensuring Bosnia has strong state-level law enforcement and judicial institutions will help us secure our counter terrorism goals.

2. (U) The INL-managed, SEED-funded program at Embassy Sarajevo has and will continue to pursue complementary strategic and tactical approaches toward increasing efficiency, accountability and transparency in operations by rule of law institutions so as to bolster state-level institutions and to increase public security conditions and instill confidence in BiH citizens that they are receiving fair treatment under the law. USG efforts emphasize harmonizing law enforcement and judicial procedures with EU membership requirements and the strengthening of state-level institutional capacity. Particular emphasis is also placed on promoting better cooperation between police agencies and prosecutors. USG efforts focus largely on technical development, supplying specialized tactical equipment and associated training as well as operational and organizational support for the newer state-level institutions, particularly the Ministry of Security (MoS), State Investigative and Protection Agency (SIPA), the Border Police (BP), the Foreigners' Affairs Service (FAS), the State Court and State Prosecutor's Office. Continued support is needed for entity police counter-terrorism (CT) and organized crime divisions. Post and ICITAP recognize the need for deeper involvement in entity law enforcement as police restructuring moves ahead but current and future funding levels make such critical engagement next to impossible.

3. (U) The Rule of Law officers of Embassy Sarajevo's

Political Section, with guidance and technical expertise from Post's Security Working Group (Deputy Chief of Mission, Regional Security Office, FBI-LEGATT, Regional Affairs Office, Economic Section, Political Section, Department of Justice) provide programmatic oversight to these INL-managed SEED-funded projects. The Rule of Law officers meet regularly with other international donors, including the European Union to maximize leverage of USG funds with other bilateral and multilateral development projects. They also meet often with representatives from law enforcement and judicial institutions including the Ministry of Security, Ministry of Justice, State Court, State Prosecutor's Office, SIPA, BP, FAS, entity and cantonal police bodies, and the High Judicial and Prosecutorial Council to ensure that these INL-managed, SEED-funded projects remain in line with Mission goals and have the desired impact in development of BiH law enforcement and judicial institutions. Embassy Sarajevo has an active Leahy vetting program, which provide mandatory vetting to over 3000 USG funded training program participants per year. Embassy Sarajevo will ensure that all persons nominated to participate in any of the INL managed SEED funded training programs will first be fully vetted as per the terms of the Leahy Amendment.

14. (U) U.S. Department of Justice International Criminal Investigative Training Assistance Program (ICITAP) and Overseas Prosecutorial Development Assistance and Training (OPDAT)-implemented rule of law projects, funded with INL-managed SEED funds, make important contributions to several high priority mission goals. USG assistance to state-level institutions such as the Ministry of Security, Border Police, State Investigation and Protection Agency (SIPA), the Foreigners Affairs Service, the State Court, and

State Prosecutor's Office enhance the functionality of strong state institutions which is a prerequisite before Bosnia can become an EU candidate country. The increased ability of Bosnia's state-level and local law enforcement and judicial institutions to interdict, prosecute and sentence would-be terrorists, smugglers of drugs and weapons, and human traffickers diminish the ability of organized criminals to use Bosnia as a base of operations to export crime abroad thus allowing Bosnia to better fulfill security obligations to its citizens, neighboring countries, the EU and the United States. These INL-managed SEED-funded programs contribute directly to the following three Mission MSP goals: anchoring Bosnia on the road to Euro-Atlantic integration, building strong state-level law enforcement and judicial institutions and helping Bosnia effectively counter terrorism at home and abroad.

FY09 Projects keyed to reftel format

15. (U) Title: Ministry of Security (MoS) Development Project (\$472,065):

Background: In order for Bosnia-Herzegovina to make progress on the road to Euro-Atlantic integration, state-level law enforcement agencies need to be strengthened. Furthermore, the state-level Ministry of Security needs to be further developed so that it can serve as the primary liaison for law enforcement issues with EU institutions as well as NATO. The MoS is supposed to play an important coordinating role in the civil protection field and in police agency participation in NATO's Chemical, Biological, Nuclear, Radiological (CNRB) Warning and Reporting. The MoS also has directly authority over the creation and implementation of several anti-corruption and anti-organized crime instruments, required both for visa liberalization with the EU and eventual EU membership. ICITAP has been assisting in the institutional development of BiH state-level law enforcement agencies as they were created one by one. The Ministry of Security was created just in 2004 and still requires significant development in order to fulfill the duties required of it by both domestic and international actors. The EU is currently investing 1.5 million Euro to construct an Asylum Center in order to improve the migration control

functions of the MoS.

Goal: Develop the capacities of state-level law enforcement and intelligence agencies to investigate organized crime, trafficking in persons, terrorist organizations, financial crimes and other state-level crimes.

Project Description: The Executive Advisor to the Ministry of Security (MoS) assists building institutional capacity within the MoS, which is responsible for counter terrorism, organized crime, trafficking in persons, and cross-border issues. He also assists with establishing policies and procedures regarding immigration and asylum. The Executive Advisor provides advice on implementation of democratic standards and community oriented policing and technical assistance to the Ministry in policies and procedures development to include internal affairs, criminal intelligence and criminal investigations. The Advisor assists the Minister and his staff develop solutions to organization problems. He stresses long-range planning, and guides them in the development of subordinates. He provides advice on setting up a personnel evaluation system and budget planning and preparation. The MoS needs assistance with the development of their capabilities to provide policy oversight to all police agencies throughout BiH with special emphasis on developing synergy between the state level agencies, BP, FAS and SIPA.

Performance Indicators:

- Percentage increase in CBRN reporting as part of BiH obligations to NATO.
- Percentage implementation of the Civil Protection Action Plan.
- Completion and Adoption of the Book of Rules governing the new state-agency for Forensics (falls under overall MoS oversight).
- Percentage increase in implementation of the action plan against corruption.
- Percentage increase in implementation of the action plan against organized crime.

Sustainability: Equipment and technical advice provided to the Ministry of Security will continue to be used by Ministry of Security personnel. Upon graduation from the program, the state-level budget will provide for the continued operations of the Ministry. The Ministry of Security has already secured additional funding from the state budget in order to take

over information services provided by ICITAP and the EU to facilitate inter-agency data sharing.

Timeline: We anticipate that the Ministry of Security will reach a level of domestic human capital and local budgetary resources to sustainability fulfill its duties at the completion of program expenditures for FY2010.

Evaluation: The Executive Advisor utilizes daily contacts with senior Ministry of Security officials to ensure that USG initiatives are adopted as part of BiH's role as a partner with the US in the war against terrorist elements worldwide.

16. (U) Title: Border Police (BP)/Foreigners Affairs Service (FAS) Project (\$457,522):

Background: Prior to the break-up of the former Yugoslavia, the current borders of Bosnia-Herzegovina were internal ones, such that BiH had no state-level border checkpoints or border police after the war. In 2001 the state-level Border Police was created and the lengthy process of building border checkpoints, developing rule and procedures, and training personnel began. Significant progress has been made; however additional work is required to ensure that the Border Police can fulfill its pivotal role in protecting Bosnia's borders. Created in the fall of 2006, the Foreigners Affairs Service is charged with fighting illegal immigration and human trafficking throughout the country. The FAS has focused special attention on enforcing the newly revised Law on

Movement and Stay of Aliens and Asylum, specifically on identifying foreign fighters who illegally obtained BiH citizenship and remained in BiH following the end of the 1992-1995 war. A functional efficient Border Police is a requirement for Bosnia to join the EU and along with a functioning FAS, is key for preventing organized criminals, illegal aliens, and potential terrorists from utilizing Bosnia as a safe haven for operations. The EU recently completed a 2.5 million Euro project to improve BP management operations by constructing a new headquarters for the BP in which multiple sectors of the BP could co-locate. The FAS recently contributed approximately \$400,000 and the MoS \$250,000 to construct an immigration center for the FAS in order to house illegal aliens posing a security threat to the BiH public.

Goal: Develop the capacities of state-level law enforcement and intelligence agencies to investigate organized crime, trafficking in persons, terrorist organizations, financial crimes and other state-level crimes.

Project Description: The Executive Advisor to the Border Police (BP) and the Foreigners Affairs Service (FAS) assists with building institutional capacity within the BP and FAS and assist with developing strategies for combating terrorism, shoring up the sovereignty of the country, securing the borders, anti-trafficking, smuggling, migration, immigration, and asylum, etc. The Advisor heads the policy and procedure development committee, reviews and comments on new legislation regarding trafficking, the law on citizenship, visas, asylum, etc., and acts as a technical advisor on border issues to the Directorate of the BP. On several occasions the BP has lost significant EU donations to build border facilities due the failure to acquire the required land in a timely manner. The advisor will help BP management focus on resolving this issue. The Executive Advisor assists in the continuing development of the Foreigner Affairs Service (FAS). The Advisor provides technical assistance in policy and procedures development to include internal affairs, criminal intelligence and criminal investigations. He provides the Director with alternatives to problems, stresses long-range planning, and guides them in the development of subordinates.

Performance Indicators:

- Percentage decrease in problematic border areas not regularly monitored by electronic sensors or personnel.
- Percentage increase in BP staffing.
- Percentage increase in narcotics seized.
- Percentage increase in land acquisition to support construction of new border facilities.
- Percentage increase in illegal aliens detained and deported by FAS.

Sustainability: The Border Police (BP) and Foreigners Affairs Service (FAS) are legally established and fully functional. They are administratively, organizationally and operationally organized to be financially sustainable. A Book of Rules on Internal Organization and Policies and Procedures are adopted and implemented (general and unit specific) by all agencies. Equipment and technical advice provided to the Ministry of

Security will continue to be used by Ministry of Security personnel. Upon graduation from the program, the state-level budget will provide for the continued operations of the Ministry.

Timeline: The Border Police have made significant progress, such that it has been graduated from a resource intensive equip and train program to a more streamlined and cost efficient advise and train program. Given its current level of progress, we anticipate the BP may be ready for full graduation at the end of program budget from FY2010. The FAS is a much newer agency, although progress is being made. We anticipate the FAS will be ready for full graduation by 2012.

Evaluation: The Executive Advisor utilizes daily contacts with the Directors of the Border Police (BP) and the Foreigners Affairs Service (FAS) to ensure that USG initiatives are adopted as part of BiH's role as a partner with the US in the war against terrorist elements worldwide.

17. (U) Title: State Investigation and Protection Agency (SIPA) Development Project (\$1,355,059:

Background: The State-Level State Investigation and Protection Agency (SIPA) was created in 2004 and tasked with fighting major crimes under the jurisdiction of the State Court such as War Crimes, Terrorism, Organized Crime, Money-Laundering and Trafficking-in-Persons. This fledgling agency, which aspires to be the Bosnian FBI, is the only law enforcement agency in the country with nation-wide jurisdiction. Although often the target of political pressure by corrupt politicians intent on destroying SIPA's capacity to investigate corruption, SIPA has made significant progress in investigating war crimes and moving forward political sensitive organized crime cases. A fully developed SIPA will play a major role in helping Bosnia meet its domestic and regional security obligations and in preventing organized criminals and war criminals as well as terrorists from using Bosnia as a safe haven. Given the important mandate of the organization and the time and resources required to provide such a young institution with the managerial and technical skills required to carry out its function, the SIPA Development project includes multiple advisors including an Executive Advisor, a Counter-Terrorism Advisor, a Financial Crimes Advisor and an Organized Crime Advisor. The BiH government is currently investing over \$1,000,000 for the construction of a headquarters building for SIPA which will house multiple sectors of the organization currently dispersed in over eight locations.

Goal: Develop the capacities of state-level law enforcement and intelligence agencies to investigate organized crime, trafficking in persons, terrorist organizations, financial crimes and other state-level crimes.

Project Description: The Executive Advisor to the State Investigation and Protection Agency (SIPA) is primarily responsible for implementation of democratic standards and internationally recognized methods of police management. The Executive Advisor provides technical assistance in policy and procedures development to include internal affairs, criminal intelligence and criminal investigations. He provides the Director with alternatives to problems, stresses long-range planning, and guides them in the development of subordinates. The Advisor works with law enforcement in Task Force Management, providing advice and training as needed.

The Counter Terrorism (CT) Technical Advisor provides support to the SIPA Headquarters and the four regional offices and works closely with the Counter-terrorism Task Force, the Ministry of Security (MoS) and the State Prosecutors' Office to assist them in the implementation of the national strategy for combating terrorism. The Advisor identifies training shortfalls for the CT Task Force, makes recommendations for future funding, reviews/develops curriculum, coordinates and co-instructs training as needed. He will identify equipment shortfalls, make recommendations for future funding and coordinate donations. He conducts training; teaching how to determine appropriate targets, develop investigative plans and implement actions safely, as well as provides training both in the proper way to build a case, manage a complex case file, and best present a case to the court.

The Financial Crimes Technical Advisor to the SIPA Headquarters and the four regional offices provides financial crimes technical advice to the State Investigation and Protection Agency (SIPA) Criminal Investigation Department (CID), the SIPA Financial Intelligence Department (FID) and the Federation Financial Police. The Advisor works with

special Task Forces as they are formed and as a

mentor/trainer on complex financial crimes investigative techniques. The Advisor cooperates closely with the SIPA Executive Advisor on the drafting of policies and procedures, which define how SIPA CID and FID function. The Advisor will identify which cases should be organized and investigated using special task forces, identify the types of specialty investigative skills needed (finance, tax police, etc.) and assist the with formation and organization of the task force. The Advisor will suggest organizational and network enhancements, discuss and advise on case management issues, isolate recommended reporting requirements, and prioritize suggested training.

The Organized Crime Advisor works closely with the Organized Crime Task Force, the Ministry of Security (MoS) and the State Investigation and Protection Agency (SIPA) to assist them in the implementation of the national strategy for combating organized crime. The Advisor identifies training shortfalls for the OC Task Force, makes recommendations for future funding, review/develop curriculum, coordinates and co-instructs training as needed. He will identify equipment shortfalls, make recommendations for future funding and coordinate donations. He assists the SIPA OC unit in building a sound working relationship with the State Prosecutor assigned to handle organized crime cases as well as provides training both in the proper way to build a case, manage a complex case file, and best present a case to the court.

Performance Indicators:

- Percentage increase in overall SIPA staffing.
- Percentage increase in number of opened financial crimes investigations by FID.
- Percentage increase in number of OC and CT cases opened by CID.
- Percentage increase in the number of cases transferred from SIPA to the State Prosecutor's Office for prosecution.

Sustainability: The State Investigation and Protection Agency (SIPA) is legally established and fully functional. SIPA is administratively, organizationally and operationally organized to be financially sustainable. A Book of Rules on Internal Organization and Policies and Procedures are adopted and implemented (general and unit specific) by all agencies. SIPA is engaged in regional initiatives and conduct cross border joint investigations with their neighbors. SIPA is housed in permanent facilities. Within the next fiscal year, it is anticipated that SIPA will be able to move into a new headquarters building bringing currently geographically dispersed units under one roof, which will facilitate overall management and intra-agency communication. Equipment and technical advice provided to SIPA will continue to be used by SIPA personnel for training and operations. Upon graduation from the program, the state-level budget will provide for the continued operations of SIPA.

Timeline: Due to the important role of SIPA and the need to strengthen it in the face of political resistance, we anticipate that complete development of SIPA should be sustainable by CY2012.

Evaluation: The Advisors utilize daily contacts with the Director of SIPA, Chiefs of SIPA CID and FID divisions as well as the Chiefs of the Regional Offices to ensure that USG initiatives are adopted as part of BiH's role as a partner with the US in the war against terrorist elements worldwide.

18. (U) Title: Combined Law Enforcement Training Project (\$752,913)

Background: As new personnel are hired on to these fledgling agencies, ICITAP has taken the lead in identifying training needs and conducting the necessary training. Equipment donations accompany the training so inspectors have the skills and equipment to conduct their investigative responsibilities.

Project Goal: Develop the capacities of state-level law enforcement and intelligence agencies to investigate organized crime, trafficking in persons, terrorist organizations, financial crimes and other state-level crimes.

Project Description: ICITAP continues strengthening BiH judicial and law enforcement institutions by providing across the board law enforcement training and technical assistance for each of the state-level law enforcement agencies to develop state-level competencies. Training needs identified

require funds to be used for approximately 24 five-day and ten-day specialized training courses, one in cooperation with the USMS, one with DEA and one with OPDAT, and related training equipment. Courses will include intermediate and advanced investigative skills, undercover operations, interview and interrogation techniques, courtroom testimony, police and prosecutor cooperation, supervisory and management functions, and computer crime investigations.

As a result of such training BiH law enforcement organizations will be more capably equipped to combat terrorism, organized crime, narcotics trafficking, human trafficking, money laundering and public corruption, as well as exert control of BiH's borders to stem the influx of illegal immigrants.

Performance Indicators:

- Number of personnel receiving specialized training courses.
- Percentage increase in number of basic courses conducted by ICITAP trained-trainers.

Sustainability: This is a long term project to develop the capabilities of the various law enforcement agencies in BiH. The project will continue to have an impact after it is finished by providing BiH with fully functioning, effective law enforcement services. These agencies will continue to function, with increased capabilities, after the project terminates. Equipment purchased in conjunction with the training listed above will be donated to participant's agencies to insure they have the tools available to implement the objectives of the training.

Timeline: Although some of the state-level agencies may be graduated from the program, we anticipate that the overall training program for state-level law enforcement personnel should be sustainable by CY2012.

Evaluation: Many ICITAP training courses are presented as train-the-trainer. Building the capacity of BiH law enforcement agency training units to replicate training to their organizations will ensure the long term sustainability of the modern policing administrative, organizational and operational concepts presented by ICITAP.

19. (U) Title: FAS Biometrics Project (\$500,000)

Background: With the advent of biometric technologies, it is now possible to identify an individual using physical characteristics such as fingerprints, retinal scans, and DNA. Together with the individual's photograph and traditional travel documents, border control services are able to identify individuals to a certainty. One of the requirements for BiH to enter a visa free regime is to implement biometric passports for its citizens. This effort is well under way with host government and EC funding. What has been identified as a shortfall, is the lack of a biometric system for foreign visa issuances. Currently, there is no way to insure that an individual entering BiH with visitor's visa is the same individual who requested the visa at a foreign BiH consulate.

Goal: To design, develop and implement a Biometric Visa system for the Foreigner Affairs Service and Ministry of Foreign Affairs which will allow BiH to gain control over the individuals entering BiH and presenting a BiH issued visa.

Project Description: FY09 is the first year of a multi-year

project which will be implemented in five phases. Phase 1 sees the provision of an IT Project Manager who will work in concert with the Law Enforcement Legal Advisor to develop a project strategic plan, identify measurable milestones in the legislation of new BiH law and the adoption of the approved ANSI/NIST-ITL 1-2000 Data Format for the Interchange of Fingerprint, Facial, & Scar Mark & Tattoo (SMT) This component begins in Phase 1 and runs throughout the life of the project. Subsequent phases will be funded through FY10-FY14. The USG is currently in discussion with the EC regarding a possible partnership and sharing of financial assistance.

Phase 1 Performance Indicators:

- Division of responsibilities among international donors are clearly determined to reduce redundancy of effort.
- The project implementation plan is completed
- Percentage completion of initial application design.
- Completion of assessment of current legislation including determination of needed legislative changes.
- Completion of amendments to the BiH Book of Rules for FAS to add necessary staff to support the project.

10. (U) Title: Justice and Police Sector Data Management Project (\$347,699)

Background: Prior to the introduction of ICITAP-developed data management systems, the judicial and law enforcement sectors operated on a localized paper-based system. The existence of multiple tracking systems slowed the transfer of case files both within and between jurisdictions for investigative or prosecution purposes. Multiple systems also contributed to a single case acquiring up to five or six separate case numbers as it wound its way through the legal system. This led to widely over-exaggerated backlog of case figures in the early years following the war. ICITAP designed and deployed IT systems to attack this problem and provide the police and judiciary with the means to more effectively process information as part of enforcing the rule of law in BiH.

Goal: To deploy and maintain police database systems that link all law enforcement agencies throughout BiH (see complete list below). When fully deployed in 2009, each system will enable police to share information in a secure manner for the purposes of investigating and developing cases. In addition, this project will integrate the criminal justice databases in order to improve the communication and flow of casework information between law enforcement agencies, the courts, and the prosecutors' offices through the development of docket management, commercial registry, and management applications.

Project Description: Funds are used to provide a local staff of IT technicians to continue the peer-to-peer partnership and technical training for the four major Police IT Projects donated by the USG during 2001-2009. These systems include the Standardized Police Reporting System (SPRS), the Border Control System (BCS), the Criminal Intelligence Data Acquisition (CIDA), and the State Police Information Network (SPIN). Secondary projects provided include Voice over Internet Protocol, Video Surveillance, Crypto graphical systems, and Network Intrusion Detection. Also included are laboratory and class room construction, technical education and distance learning. The staff will also provide support to the new FAS Biometrics Project.

Performance Indicators:

- Percentage of security IT applications developed by ICITAP fully functional and maintained appropriately by local security IT personnel.
- Percentage increase in numbers of Personnel fully trained in use of computer, network, and database applications.

Sustainability: This project can be considered fully sustainable when local IT system engineers are able to keep

the systems operational and are able to upgrade each system as required pursuant to policy changes or legal statute modifications, and when law enforcement agencies fully understand the imperative of keeping the ICITAP police systems funded appropriately in order to ensure sustainability.

Timeline: Initial sustainability of some systems has been reached. Continued mentoring of IT system engineers as well as continued education of law enforcement agency senior management on the importance of properly funding IT functions for each law enforcement agency through the expenditure of the FY2012 program budget should be sufficient to ensure long term sustainability.

Evaluation: ICITAP Advisors monitor usage of each system usage through daily interaction with the Bosnian law enforcement agencies that we are encouraging to utilize these systems as a valuable resource in their fight against organized crime and terrorist elements at work in BiH.
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